

# EDUCATION ISSUE BRIEF

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## Corporal Punishment in Public Schools: Some Surprises, Continuing Shame

Corporal punishment has been administered in our schools since the inception of the public education system in North Carolina. It began when the infliction of pain as a form of punishment and discipline was commonplace on plantations, in jails and prisons, and in the military. By the beginning of the twenty-first century, corporal punishment had long been banned in virtually every setting except the public schools.

Curiously, the State Board of Education has not taken a public position on corporal punishment, nor has it chosen to monitor the practice. In 2010, the North Carolina General Assembly decided to require local school districts to report on the use of corporal punishment. The first such report, reflecting the use of the practice during the 2010-2011 school year, was presented to the State Board in February 2012. The report contains some surprises, most of which should concern North Carolinians.

### Primer on Corporal Punishment in the Public Schools

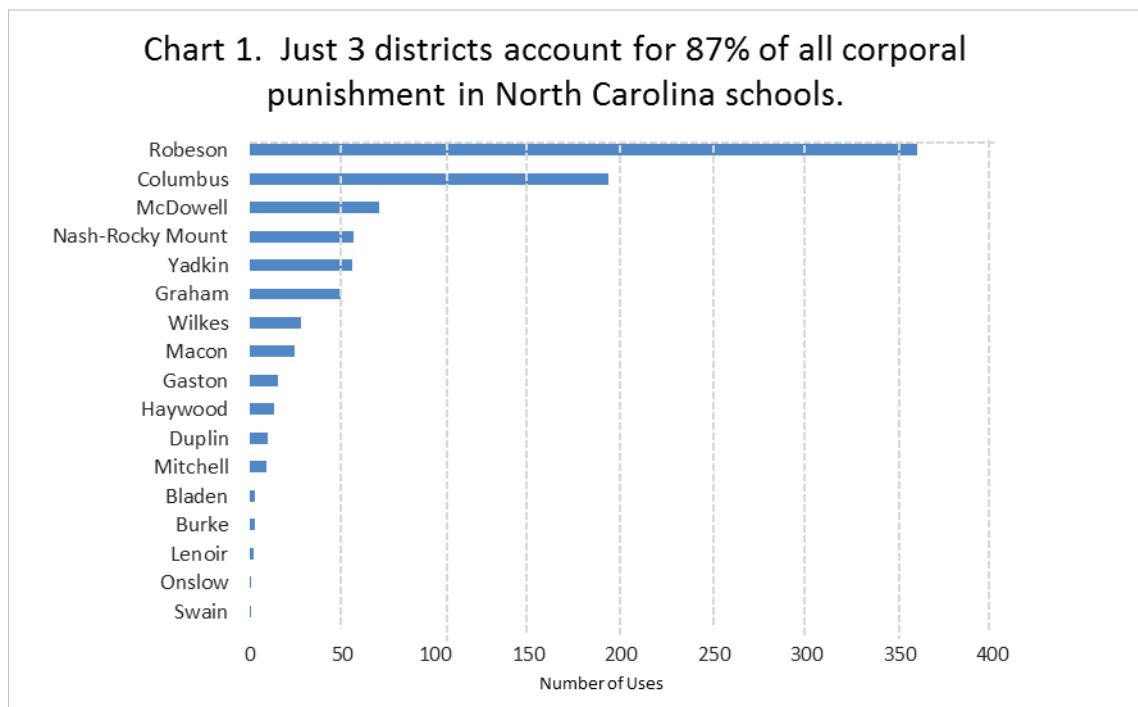
- The United States is the only developed country that allows corporal punishment in the public schools.<sup>1</sup>
- In the U.S., thirty-nine states have banned corporal punishment.
- In North Carolina, virtually all of the 115 local school districts allowed the practice in 1985, when a state law was passed authorizing local districts to ban corporal punishment if they wished.
- Today, just 20 local districts continue to allow corporal punishment.<sup>2</sup>
- By state law, corporal punishment is defined as “the infliction of physical pain upon the body of a student as a disciplinary measure.”<sup>3</sup>
- Regrettably, the law provides no guidance with regard to the methods used to inflict pain, nor the behaviors that would deserve such discipline. The lone caveat is to refrain from punishment that would require “medical attention beyond first aid.”<sup>4</sup>

## The Report and Its Shameful Surprises

The Consolidated Annual Report, 2010-2011 can be found online at <http://dpi.state.nc.us/research/discipline/reports/> For the first time the use of corporal punishment is included in the report.

The report shows that during the 2010-2011 school year, seventeen local districts used corporal punishment a total of 891 times. (621 students received corporal punishment: 467 students were hit once, and 154 students were hit two or more times.)

Chart 1 shows the distribution of corporal punishment by local district. Interestingly, seven of these districts – Nash-Rocky Mount; Yadkin; Wilkes; Gaston; Haywood; Duplin; Lenoir – have since banned the practice. **Of the ten remaining districts that hit students in 2010-2011, Robeson, Columbus and McDowell account for 87% of the use of corporal punishment!**

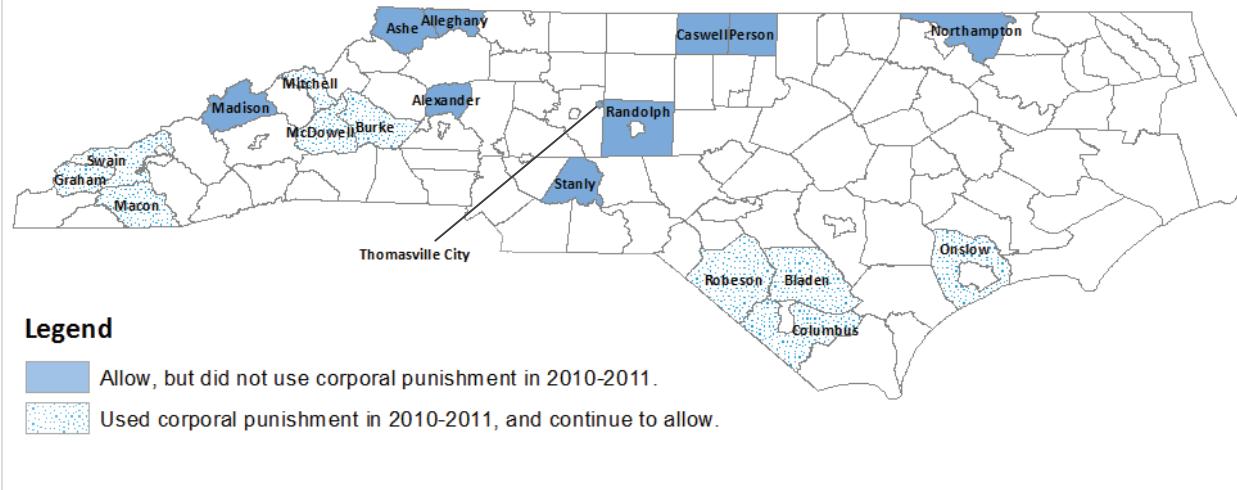


Source: North Carolina Department of Public Instruction, 2010-2011 Consolidated Report.

## Is Corporal Punishment Used Disproportionately?

Over the years, the federal Office of Civil Rights, as well as Human Rights Watch and the American Civil Liberties Union, have expressed concerns that corporal punishment might be used disproportionately on students with disabilities and on minority students. Heretofore, there have not been good data to prove or disprove such allegations in North Carolina. For the first time those data are now available. While the data themselves are not proof/disproof, they can show where further study and analysis are indicated.

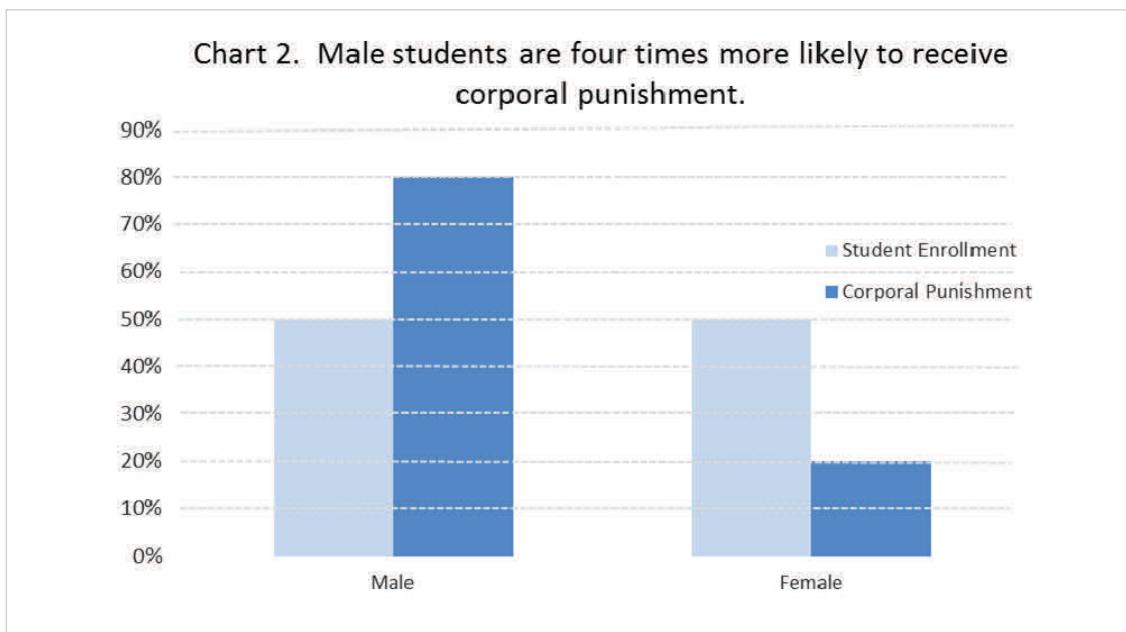
## Corporal Punishment in North Carolina Public Schools



Source: Action for Children North Carolina survey of local school districts (October 2011) and North Carolina Department of Public Instruction, 2010-2011 Consolidated Report.

Gender

As depicted in Chart 2, the report indicates that while males and females each comprise about 50% of the student population, **male students received about 80% of the corporal punishment**. While popular wisdom would suggest that “boys will be boys,” a review of local school board policies often indicates that administrators are encouraged to consider the physical stature of the proposed recipient before corporal punishment is applied. This may serve to protect the “fair sex.” In any case, the wide discrepancy in the administration of corporal punishment by gender warrants further study.

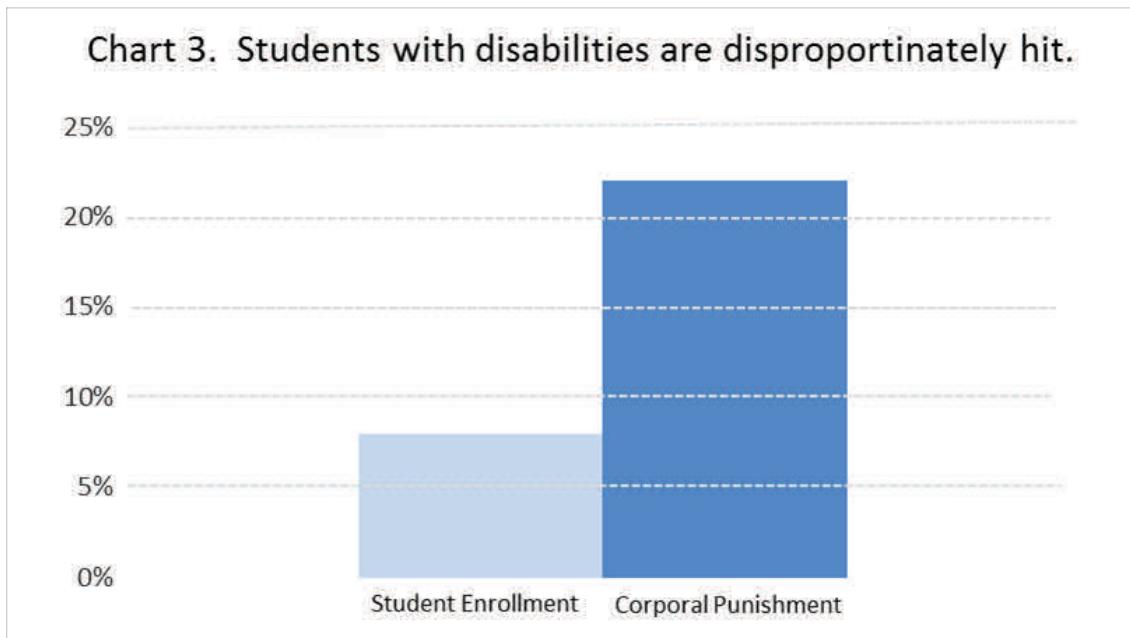


Source: North Carolina Department of Public Instruction, 2010-2011 Consolidated Report

## Students with Disabilities

In the 2010-2011 school year, parents of students with disabilities had the option to exclude their students from receiving corporal punishment. Thus it is quite surprising to note in Chart 3 that **while students with disabilities comprise about 8% of the student population, they received about 22% of the corporal punishment!**

A case could be made that students with disabilities inadvertently “act out” more frequently, but it is also likely that they will least understand why they are being hit. It also brings into question whether parents understood they could exempt their children from being hit. In addition, the role of local directors of exceptional children’s services is called into question. Once again, this warrants further study.

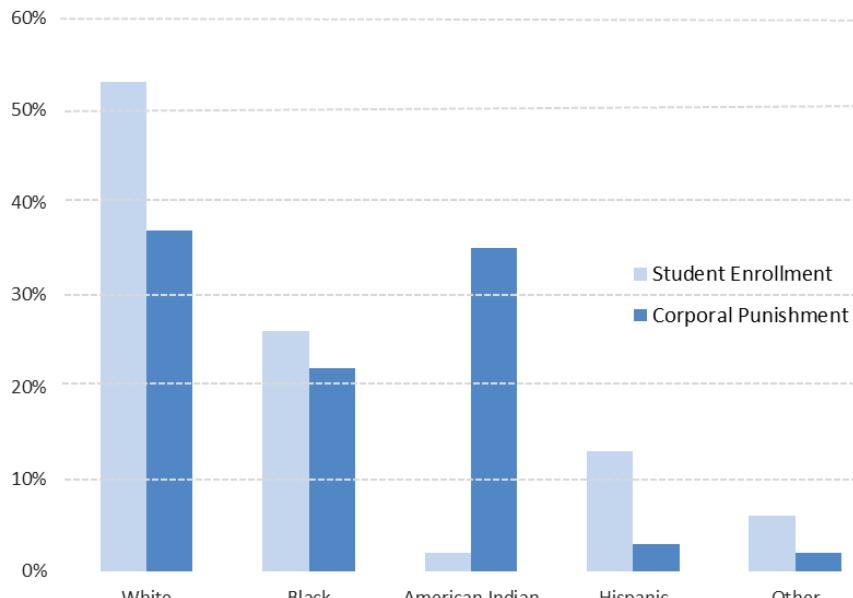


Source: North Carolina Department of Public Instruction, 2010-2011 Consolidated Report.

## Race/Ethnicity

Perhaps the biggest surprise in the report is the distribution of corporal punishment by race/ethnicity as depicted in Chart 4. It is quite striking that, **while American Indian students comprise less than 2% of the student population statewide, they receive about 35% of the corporal punishment—more than 90% of which occurs in Robeson County.** This is so out of proportion that all other groups are hit on a proportionally less basis.

**Chart 4. American Indian students are far more likely to be hit than their peers.**

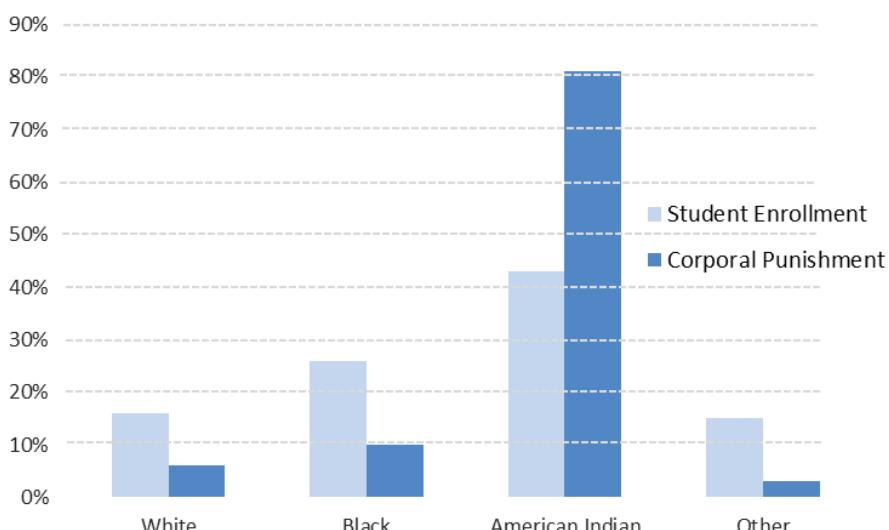


Source: North Carolina Department of Public Instruction, 2010-2011 Consolidated Report.

### The Case of Robeson Public Schools

Any study regarding the disproportional hitting of American Indian students must first focus on Robeson, the leading user of corporal punishment and the district with the largest American Indian student enrollment. However, as depicted in Chart 5, **American Indians comprise 48% of Robeson's student enrollment, but receive 81% of the corporal punishment**. Many specific questions spring to mind, but perhaps it is best to simply wonder what in the world is going on in Robeson?

**Chart 5. American Indian students receive 8 out of every 10 uses of corporal punishment in Robeson schools.**



Source: North Carolina Department Of Public Instruction. Special data request, February 2011.

## **Recommendations**

Action for Children North Carolina has been working on the issue of corporal punishment in our public schools for twenty-five years. Backed by a large body of research showing that corporal punishment is an ineffective form of discipline, much progress has been made: only 20 of the 115 local districts now allow the practice, just 10 use it and just 3 represent 87% of the corporal punishment statewide.

Given the new data, recommendations for further study regarding the disproportionate use of corporal punishment are obvious; however, neither the Department of Public Instruction nor the State Board of Education have been willing to approach this issue, and the NC Local School Boards Association continues to maintain that as long as a few local districts wish to use corporal punishment – even if used disproportionately – they should be allowed to do so. Thus we should not expect our education leaders to respond.

Our students and their families continue to await leadership that will bring North Carolina's school discipline policies into the twenty-first century.

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<sup>1</sup> A large number of developing countries have also banned the practice.

<sup>2</sup> Action for Children North Carolina survey of public school districts, October 2011. Currently, the State Board of Education does not monitor the application of corporal punishment in public schools

<sup>3</sup> North Carolina General Statute §115C-390.1. Available online <http://www.ncleg.net/Sessions/2011/Bills/House/PDF/H736v7.pdf>.

<sup>4</sup> Ibid, see note 3.



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